

**Morgan County Planning Commission
Meeting Minutes
January 22, 2013**

I. CALL TO ORDER

Meeting was opened at 7:05 p.m.

Members present: Carl Cowgill, Eric LaRue, Wayne Omps, George Didawick, Jack Soronen, Brian Carter, Mary Ellen Largent, Susan Parker, Stacy Dugan.

Members absent: Scott Swaim, Jim Hoyt.

II. ELECTION OF OFFICERS

Floor was opened for nominations for President:

On a Wayne Omps/Stacy Dugan motion, Jack Soronen was nominated to serve as 2013 President of the Morgan County Planning Commission.

On a Mary Ellen Largent/Susan Parker motion, nominations were closed for President of the Morgan County Planning Commission. Motions Carried.

Floor was opened for nominations for Vice-President:

On a Susan Parker/George Didawick motion, Scott Swaim was nominated to serve as 2013 Vice-President of the Morgan County Planning Commission.

On a Mary Ellen Largent/Susan Parker motion, nominations were closed for Vice-President of the Morgan County Planning Commission. Motions Carried.

**III. INTRODUCTION OF MEMBERS
REVIEW OF ACCOMPLISHMENTS**

Planning Commission President Jack Soronen did a brief introduction of each of the members and staff for the benefit of the new County Commission representative Stacy Dugan. Mr. Soronen also supplied the members with an overview of the Planning Commission accomplishments from the past few years such as the Comprehensive Plan, various land use and zoning studies, zoning ordinance and revisions to our existing regulations.

IV. STAFF REPORT AND DISCUSSION

- A. Chesapeake Bay Accountability Grant Award
Update on status of project by ARRO Consulting

- Discussion and review of any proposed changes to the draft Stormwater report submitted by ARRO at 10.23.12 meeting.
- Discussion and review of any proposed changes to the Morgan County Stormwater Management Regulations.
- Discuss and possibly establish schedule for public forums.

Discussion regarding review of Report, Ordinance amendments and public forum:

Richard Parks, county engineer and representative of ARRO Consulting did a brief overview of the Stormwater Report for the group. The purpose of the report was to review the current recommendations from the Environmental Protection Agency (EPA) and the West Virginia Department of Environmental Protection (WVDEP) relating to the reduction of nutrients and sediment loads entering into the Chesapeake Bay. These recommendations and strategies are listed in the WVDEP Watershed Implementation Plan (WIP). The report also provided recommendations for possible amendments to the Morgan County Stormwater Ordinance. The major component proposed is the addition of a water quality section to our ordinance that focuses on steps required to improve the water quality by capturing the first inch of rainfall on site by utilizing various types of best management practices (BMP's). The report proposes that these water quality requirements be either voluntary or mandatory.

Planning member Wayne Omps thanked Mr. Parks for providing the group with various options instead of focusing on just one. He also stated that he would be in favor of voluntary steps at a minimum versus any additional mandates within our Stormwater Ordinance requirements; at least until it was made mandatory by the WVDEP.

Matthew Pennington, representing Region 9 Planning and Development Council as their Chesapeake Bay program Coordinator, confirmed that the WVDEP WIP states that by 2015, the counties within the watershed will be assessed for improvements to their stormwater management policies. Should the counties show no improvements at all in reducing sediment loads the EPA and WVDEP could impose stormwater management mandates upon those counties. At present, Morgan County is not mandated to impose any additional stormwater management requirements.

Mr. Pennington also stated that there are many benefits of capturing the first one inch of rainfall on a site, one being the reduction of flash flooding. The BMP's proposed by the WVDEP concentrate on infiltration and the reduction of impervious areas.

Mr. Parks stated that our current regulations do offer infiltration practices. Mr. Parks also stated that West Virginia now has a Stormwater Management Manual that was recently made available. We can now reference this manual in our stormwater ordinance in place of the Maryland Stormwater Manual.

Planning member George Didawick questioned Mr. Pennington on how the WVDEP plans on monitoring the progress of reduction of nutrient and sediment loads within the county. The WVDEP tracks the load

reductions through state and local permitting. The County Planner also completes a worksheet describing all stormwater management BMP's that had been installed for the reporting period. County Commissioner Robert Ford discussed a lawsuit in Fairfax Virginia where stormwater was not found to be a pollutant which brings up the question of EPA's authority to regulate water quality. He recommended that the Planning Commission hold off on any proposed amendments until this lawsuit is settled. Mr. Ford also stated that as a County Commissioner, he would never approve any amendments to our stormwater regulations if they were mandated.

Planning member Brian Carter stated that the group should find a balance between forcing regulations versus practicality of these regulations. He feels that requiring mandatory water quality BMP's overzealous at this time and that it would be prudent to wait until the WVDEP makes it mandatory or to possibly make this requirement voluntary at this time.

Planning member Susan Parker stated that this could be an opportunity for public awareness on the topic and the benefits of recharging the groundwater with voluntary compliance.

Planning President Jack Soronen recommended that the group draft a proposed amended ordinance for public comment and that the power point presentation be used at a public forum to solicit comments on the draft proposal.

Susan Parker recommended that the group hold a public forum and do the power point presentation and discuss any amendments with the public first before moving forward with proposing the amendments for public hearing. This way the group could solicit public comments prior to making any proposed amendments to the stormwater ordinance.

After some discussion the following action was taken.

On a George Didawick/Stacy Dugan motion, the Planning Commission agreed to schedule one public forum to discuss the stormwater report, present the power point presentation and solicit public comments. Motion Carried.

Mr. Omph requested that the public forum be conducted by the Planning Commission, staff and Mr. Pennington from Region 9.

Staff will provide a few dates for the group to consider at their February meeting. In the event that the February Planning meeting is cancelled, the group agreed to have the President and staff select a date for the forum.

V. MEETING MINUTES

On a Mary Ellen Largent/Susan Parker motion, the Planning Commission unanimously approved the minutes from the October 23, 2012 meeting.

VI. STAFF REPORT

Status of Permit Violations and Applications

- Olde Town Holding Company – Fireworks Business north of town

Staff had reported that the Olde Town Holding Company/Stateline Sparklers has submitted an approved commercial entrance permit and commercial application for the new location of the business. Staff was waiting for applicant to contact her to finalize permit process.

- McDonald's expansion of building and drive thru

Staff had received and reviewed plans for two additions totaling 530 square feet plus the addition of a second drive thru lane for the McDonald's located on Rt 522 south. A small section of this building (southwest corner) is located within the 100-year floodplain and the applicant has submitted data showing that the elevation of the small addition will be 3 feet above the Base Flood Elevation for that area.

VII. ADJOURNMENT

On a Stacy Dugan/Eric LaRue motion, the meeting adjourned at 9:15 p.m.